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February 24, 2023

VIA ECF

The Honorable Denise L. Cote
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Faulkner & Tew v. Equinox Holdings, Inc.*
Case No.: 22-cv-00242

Dear Judge Cote:

We represent Plaintiffs in the above-captioned matter and write jointly with Defendant to request a three-month extension of the discovery deadline and settlement conference deadline, which is March 31, 2023, and February 2023 respectively. There have been no prior extension requests and a proposed Revised Scheduling Order is attached.

The parties began engaging in discovery six days after the pre-trial conference. They also began engaging in settlement discussions and conducted two conferences with Magistrate Wang. Through these discussions, it became clear that the relevant discovery was not readily available to Defendant and was quite extensive given the number of Defendant's locations involved. Moreover, in the midst of our discussions, additional defense counsel were enrolled in the case requiring additional time on Defendant's part. Your Honor is also aware that there were a number of discovery-related issues that were not resolved until February 10, 2023. See Dkt. No. 52. However, there still remain some outstanding issues that the parties are still conferring on to avoid judicial intervention. Given the volume of discovery produced and remaining, and the size of the putative class, the parties do not believe they will be able to complete discovery or even begin depositions by the current deadline.

Finally, Defendant has recently produced data related to Plaintiffs' class claims that may be beneficial in attempting to resolve this matter, but the parties require additional time to fully explore it.

We thank the Court for its time and consideration in this matter.

Respectfully submitted,

/s/ Alexander M. White
Alexander M. White

cc: all counsel of record <via ECF>

*The parties may, on
consent, adjust the
dates in the 10/31/22
Scheduling Order, with the
exception of the dates for
summary judgment. That*

*motion remains due
6/23/23. Denise Cote 2/24/23*